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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA,
Plaintiff,

v.

TIMOTHY WAYNE PATTAN,
Defendant.

MOTION TO CONTINUE JURY TRIAL

Case No. 1:21-cr-00009

District Judge David Barlow

Magistrate Judge Daphne A. Oberg

Defendant, Timothy Wayne Pattan (“Mr. Pattan”) by and through the undersigned counsel, moves to continue the trial date currently set for July 1, 2022.

An Indictment/Information was issued on January 21, 2021. Defendant first appeared before a judicial officer of the court on October 7, 2021. Trial was set for December 3, 2021. Beginning November 1, 2021, this Court entered three Memorandum Decisions and Orders to Continue the Jury Trial, excluded time from General Order No. 20-009 until the new trial setting as well as speedy trial computation pursuant to 18 U.S.C. § 3161(h)(7)(A).

Defendant seeks a continuance under 18 U.S.C. §3161(h)(7)(B)(iv). Defendant alleges that the continuance is necessary because not granting the continuance would deny counsel for

the defendant the reasonable time necessary for effective preparation, taking into account of due diligence.

The following factual assertions support defendant's request: Although a potential resolution has been discussed in this case, defense counsel requires additional time to gather mitigating evidence before advising Mr. Pattan to proceed with trial or enter a plea.

The defendant has been notified of the requested continuance. ☒ YES ☐ NO

Defense counsel reached out to Special Assistant United States Attorney Branden Miles and had not heard back from him at the time of the filing.

Defendant requests a continuance of 90 days. A continuance of 90 days will allow counsel to conclude the mitigation and trial preparation investigations, and to conclude plea negotiations with the United States.

DATED this 9th day of June, 2022.

/s/ Tessa M. Hansen
TESSA M. HANSEN
Assistant Federal Public Defender